



**Chairperson Vice-Chair**



## **DETROIT BOARD OF POLICE COMMISSIONERS**

### **Minutes of the Board of Police Commissioners Meeting Thursday, November 12, 2009**

The meeting of the Detroit Board of Police Commissioners was held on Thursday, November 12, 2009 at 6:30 p.m. at NFL Youth Education Town, 16500 Tireman in Detroit, Michigan.

#### **ATTENDANCE**

##### **Board Members Present**

Ronald L. Griffin  
Mohamed Okdie  
Jerome L. Warfield  
Toney Stewart (**ABS**)  
Adela Rivera

Cmdr. Todd Bettison  
Insp. Gary Sroka  
Lt. David LeValley  
Lt. Michael Hinton  
Sgt. Robert Jackson  
P.O. Randall Coleman  
P.O. Eric Baron  
P.O. Tim Cox  
P.O. Michael Gordon

##### **Department Personnel Present**

AC Ralph Godbee  
Cmdr. Shereece Fleming-Freeman  
Cmdr. Dwayne Love  
Cmdr. Frankie Lewis  
Cmdr. Brian Stair  
Cmdr. Catherine Tuttle  
Cmdr. Shereece Fleming-Freeman  
Cmdr. Morris Wells  
Cmdr. Benjamin Lee  
Cmdr. Dwayne Mckissic  
Insp. Nickolas Kyriacou  
Lt. Lashinda Houser  
Lt. William Peterson  
Sgt. Aric Tosqui  
P.O. Sophia Nelms  
P.O. Dwight Featherstone  
P.O. Lucretia Wright

**Board Staff Present**

Celia Banks-Washington, Attorney/Supervising Inv.  
Arnold Sheard, Chief Investigator  
Dalph Watson, Director of Police Personnel  
Lt. Daniel Allen  
Ainsley Cromwell, Supervising Inv.  
Leslie J. Griffin, Community Affairs Coordinator  
P.O. Kent Cooper

**OTHERS PRESENT**

E. Sanchez	Carolyn Chambers	Hazel Fuller
Roy Burton	Ilka LaPeer	Lawanda Ruffin
Eugene Montgomery	Susan Jossefides	Chris Jossefides
Cathy Bunch	John Govendea	Paula Trilety
Linda Gruss	Norman Johnson	Willie Johnson
Mary McKissic	Trette Reeves	Steve Land
Alisha Bell	Ron Scott	Jackie Banks
Stephanie Young	Themilie Bush	Joseph Duka

**RECORDERS**

PO Terence Bell	Sgt. Allan Quinn
Robert Brown	PO Dan Danakowski

**1. CALL TO ORDER**

**Chairperson Griffin** called the meeting of the Detroit Board of Police Commissioners to order at 6:30 p.m.

He stated that the NFL Youth Education Town is a beautiful facility and they are glad to be here.

## 2. APPROVAL OF AGENDA

- Thursday, November 12, 2009

**MOTION:** Comm. Okdie made the motion to approve the Agenda.

**SECOND:** Comm. Rivera seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

## 3. APPROVAL OF MINUTES

- Thursday, November 5, 2009

**MOTION:** Comm. Rivera made the motion to approve the Minutes.

**SECOND:** Comm. Warfield seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

## 4. BOPC OFFICER'S REPORT

### 1. CHAIRPERSON

### 2. SECRETARY REPORT

**Chairperson Griffin** stated the secretary's report will take on a new look in the near future. He stated it will give the quality aspect such as what kind of complaints OCI is receiving from the citizens and their disposition. He stated that report will be given at the next Board meeting.

## 5. PRESENTATION/REPORT-CHIEF OF POLICE

November 12, 2009

Volume 5, Issue 46

# *Detroit Police Department*

## *Report to the Board of Police Commissioners*



### Special Points of Interest:

- **Next meeting:**

Thursday, November 19, 2009

@ 3:00 P.M.

**Detroit Police Department**  
**1300 Beaubien St. 328-A**  
**Detroit, Michigan 48226**

### *“Building a Safer Detroit Through Community Partnerships”*

*The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take the guns and drugs off the streets of the city of Detroit.*

### **SPECIAL ENFORCEMENT ACTIONS**

#### **Domestic Violence**

On November 3, 2009, officers of the Tenth Precinct responded to 2000 block of West Grand Boulevard on a “Felony Assault/Domestic Violence” run and a subject was arrested. As a result of the investigation conducted by members of Domestic Violence, the subject was charged with “Assault with a Dangerous Weapon (Felony Assault) and Felony Firearm. A weapon was recovered.

### **Inside this issue:**

Narcotics/Gang Enforcement 1

Domestic Violence 1

Tenth Precinct 2

Northeastern District 2

Southwestern District 2

Twelfth Precinct 2

Sixth Precinct 2

## **Engaging the Community**

Citizens wishing to make a police report may do so at the District/Precinct stations in the city of Detroit. Citizens may also utilize the following District Mini/Sub-Stations to make reports.

	<u>Location</u>	<u>Hours of Operation</u>	<u>Telephone</u>
	1300 Beaubien	24 Hours	596-5100
	20500 Conant	* 3 p.m. to 9 p.m.	892-5456
	7737 Kercheval	* 8 a.m. to 2 p.m.	628-2121
	19810 Grand River	* 9 a.m. to 9 p.m.	870-0649
	13530 Lesure	8 a.m. to 11 p.m.	596-5300
	2575 S. Schaefer	* 3 p.m. to 9 p.m.	297-9423
	20 Atwater	24 Hours	237-2850
	13206 E. Jefferson	* 3 p.m. to 9 p.m.	821-5851
	22101 Moross (St. John Hospital)	* 3 p.m. to 9 p.m.	343-7506
	14700 Mack	* 3 p.m. to 9 p.m.	852-4046

\* Mini-Stations– Monday –Friday

November 12, 2009

## *Police / Community Intervention*

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### **Northeastern District**

On November 6, 2009, officers of the Northeastern District responded to the 5000 block of Field on a "Shooting." Subsequent to their investigation, a subject was arrested and charged with "Assault with Intent to Murder, Felon in Possession of a Firearm, Carrying a Concealed Weapon-Motor Vehicle, Felony Firearm 2nd, and Habitual 4th." A weapon was recovered.



### **Southwestern District**

On November 8, 2009, officers of the Southwestern District responded to the 5000 block of Trenton to investigate a person. Subsequent to their investigation, a subject was arrested and charged with "Felony Firearm and Felonious Assault." A weapon was recovered.



### **Twelfth Precinct**

On November 6, 2009, while on patrol in the area of Washburn and West 7 Mile, officers of the Twelfth Precinct investigated two subjects for an ordinance violation. As a result of their investigation, both subjects were arrested and charged with "Carrying a Concealed Weapon." Two weapons were recovered.



### **Sixth Precinct**

On November 4, 2009, while patrolling the area of Pierson and Dover, officers of the Sixth Precinct conducted a stop of a vehicle for a traffic violation. Their investigation revealed that the three subjects who occupied the vehicle, matched the description of subjects wanted in robbery that occurred earlier that day. The subjects were subsequently arrested and charged with "Robbery Armed of a Citizen, Felon in Possession, and Felony Firearm." Weapons and property were recovered.

## **PRESENTATION/DISCUSSION FROM 6<sup>th</sup> PRECINCT**

**AC Godbee** introduced all of the Commanding Officers in attendance, as well as Insp. Sroka of the 6<sup>th</sup> Precinct.

**Insp. Sroka** welcomed everyone and introduced his staff and gave a brief overview of the 6<sup>th</sup> Precinct initiatives, such as feed the children (2000 people), patrolling during holidays, and Project Safe Routes.

### **SEE ATTACHMENT**

**Comm. Rivera** asked how they determined to feed 2,000 people, which is a huge undertaking.

**Insp. Sroka** stated Officer Coleman helped to coordinate this with the Detroit Pistons.

**P.O. Coleman** stated he was contacted by the Pistons Community Relations Department to assist them with securing the players and cheerleaders when they bring the food in by trucks.

**Chairperson Griffin** asked when will this take place.

**P.O. Coleman** stated November 24<sup>th</sup> at 9:00 am at the precinct. He stated each person will receive 40 pounds of goods.

**Chairperson Griffin** stated that is wonderful and deserves a round of applause.

**P.O. Coleman** stated 2000 vouchers went out to churches in Detroit and all 2000 have been accounted for.

**Comm. Warfield** stated on November 24<sup>th</sup> the Detroit Pistons and Feed the Children Organization will feed 8,000 families throughout the city. Brightmoor (of which he serves as Chair) was strategically chosen because of the strong, committed non-profit organization in that community.

**Insp. Sroka** stated if there are complaints or issues there are forms they can fill out.

## **6. STANDING COMMITTEE REPORTS**

There were no standing committee reports.

## 7. NEW BUSINESS

**Chairperson Griffin** stated that the proposed Bylaws for this Board have been reviewed by members of this Board, and will serve as a tool to help carry out the day to day operations of the Board as mandated in the City Charter and City Code.

### 1. BOARD OF POLICE COMMISSIONERS BYLAWS

**MOTION:** **Comm. Okdie** made the motion to approve the ByLaws.

**SECOND:** **Comm. Rivera** seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

### 2. RESOLUTION: REV. ROY ISAAC

**WHEREAS** Reverend Roy Isaac has been a lifelong resident and committed leader within the great city of Detroit. Born in 1936 in Georgia, he moved with his family to Detroit, Michigan in 1947. Reverend Isaac attended Detroit's own Cass Technological High School and graduated in 1955. Upon graduation, he joined the United States Army and served a four (4) year tour of duty in Military Intelligence. Upon honorable discharge, he returned home in 1960 and worked four (4) years each respectively with the City of Detroit Clerk's Office and Detroit Edison; and

**WHEREAS** In 1969, Reverend Isaac attended the UCLA and became a self-employed Real Estate Broker. Briefly making California his home, Rev. Isaac worked until he retired and moved back to Detroit in 1989; and

**WHEREAS** Reverend Isaac has always been keenly sensitive to the voice of God. After years of studying, he became a Baptist minister serving at several churches. He was ultimately called by God to the role of Pastor at the Bushnell Congregational Church. Through his multi-faceted leadership, the church and neighboring communities have greatly thrived. Rev. Isaac has opened the doors of the church to the great Northwestern District Police Community Relations Council for numerous years and remains actively involved in a plethora of community programs and initiatives; and

**WHEREAS** Reverend Isaac has been married to his wife Susan for many years and is the proud father of nine (9) sons and 43 grandchildren. He has instilled the same Christian and familial values of diversity and giving back to the community to each of his children; and

**WHEREAS** Reverend Isaac is a strong and committed supporter of the Detroit Police Department and was a member of the Police Advisory Council from 2004 through 2007. He has developed and sustained missions of world hope and peace through diversity and other inclusion methods. He also diligently served as an Advisor to the Grandmont, Rosedale and North Rosedale Park Community organizations, and is a current member of the Ministry Police Alliance and Mayor's Faith-based community. A trailblazer in spirit, Reverend Isaac always finds the time to give back and has participated in and hosted several events for the Sixth and Eighth Precincts, Northwest Farmer's Market, Grandmont Rosedale Community Garden, as well as the Rosedale Players and the United Voices of Detroit.

**NOW THEREFORE BE IT RESOLVED**

That the Detroit Board of Police Commissioners, speaking on behalf of the Sixth and Eight Precincts and citizens of the city of Detroit acknowledges the generosity and servant spirit of Reverend Roy Isaac. His commitment to nurturing, rebuilding the city and increasing the quality of life through hope and diversity can be seen throughout the entire city of Detroit. His uncompromising leadership is also evidenced throughout the nation.

We thank and congratulate you. Reverend Roy Isaac.

/s/ Rev. Ronald L. Griffin  
Chairperson

/s/ Mohamed Okdie  
Vice Chairperson

/s/ Rev. Jerome L. Warfield  
Commissioner

/s/ Toney Stewart  
Commissioner

**ADOPTED BY THE  
BOARD OF POLICE COMMISSIONERS**  
November 12, 2009

/s/ Adela Rivera  
Commissioner

**Rev. Isaac** thanked everyone for these awards.

**3. RESOLUTION: LT. LASHINDA HOUSER**

**WHEREAS** Lieutenant Lashinda T. Houser joined the Detroit Police Department on October 23, 1996 upon graduation from the Detroit Metropolitan Police Academy and began her law enforcement career in the First Precinct and Patrol Operations; and

**WHEREAS** Lieutenant Houser is the youngest female Lieutenant of the department, and has professionally progressed in knowledge of standards and operations and was promoted to serve in several leadership capacities that included the Medical Section and Psychological Services Unit, Equal Employment Opportunity Office, as well as Human Resources; and

**WHEREAS** Lieutenant Houser made education a priority and received her Bachelor of Arts degree in Sociology from Wayne State University in 1999 and a Master of Science degree in Interdisciplinary Technology from Eastern Michigan University in 2002; and

**WHEREAS** Lieutenant Houser currently serves as the Commanding Officer of the Human Resources Bureau where she provides excellent leadership in Police Personnel, Recruiting, Police Medical, Psychological Services, Employee Assistance Program and the Equal Employment Opportunity Office; and

**WHEREAS** Lieutenant Houser has continuously shown commitment and dedication to the department by going beyond the call of duty and serving as acting Director of the Human Resources Bureau upon the retirement of former Personnel Director LaWana Y. Ducker. During this time of transition, Lt. Houser devoted countless hours beyond the scope of her responsibilities to ensure the ongoing effectiveness of Personnel operations. She faithfully attended all of the Commission meetings, prepared reports and held the integral functions of the department together.

**NOW THEREFORE BE IT RESOLVED**



That the Detroit Board of Police Commissioners, speaking on behalf of the Detroit Police Department and the citizens of the city of Detroit recognize and honor the commitment and devoted spirit of Lieutenant Lashinda Houser. Her unmatched and relentless pursuit of effective organizational management is greatly appreciated and has proven to be an invaluable asset for the entire department.

We thank and congratulate you for a job well done, Lieutenant Lashinda Houser.

/s/ Rev. Ronald L. Griffin  
Chairperson

/s/ Mohamed Okdie  
Vice Chairperson

/s/ Rev. Jerome L. Warfield  
Commissioner

/s/ Toney Stewart  
Commissioner

**ADOPTED BY THE**  
**BOARD OF POLICE COMMISSIONERS**  
November 12, 2009

/s/ Adela Rivera  
Commissioner

**Lt. Houser** thanked everyone for this Resolution.

## **8. OLD BUSINESS**

Chairperson Griffin stated at the last Board meeting that he made reference to several aspects and responsibilities of this Board. Together with the other Commissioners and staff, an overview of the following presentation was given.

# DETROIT BOARD OF POLICE COMMISSIONERS

Status Report  
November 12, 2009

## DETROIT BOARD OF POLICE COMMISSIONERS

Each of us took an oath to uphold the  
Detroit City Charter and the ordinances of  
the City of Detroit.

We have heard from you, members of the  
community, and we are committed to  
fulfilling the responsibilities of this Board.

## CHARTER MANDATED FUNCTIONS AND POWERS

*Detroit Charter, Article VII, Chapter 11, §7.1103*

The Board shall:

1. In consultation with the chief of police, and with the approval of the mayor establish policies, rules and regulations;
2. Review and approve the departmental budget before its submission to the mayor;
3. Receive and resolve, as provided in this chapter, any complaint concerning the operation of the police department;
4. Act as final authority in imposing or reviewing discipline of employees of the department;
5. Make an annual report to the mayor, the City Council, and the public of the department's activities during the previous year, including the handling of crime and complaints, and of future plans.

## CITY CODE MANDATED FUNCTIONS AND POWERS

- Section 55-15-8(a) of the 1964 City Code entitled *Police Authorized Towing*, provides that "[t]he board of police commissioners, shall establish standards, including insurance and bonding requirements, that must be met in order for a tower to qualify for police authorized tows. . . and the police department shall maintain a current list of such qualified towers."
- Section 55-15-8(a) goes further to mandate that "[t]he board of police commissioners shall also promulgate and publish the rules and regulations that it uses to determine which towers shall be called for tows under this chapter. Such rules shall as nearly as practicable, provide for equitable distribution of police authorized towing to all towers on the list of qualified towers."
- Section 55-15-8(e) finally provides that "[t]he board of police commissioners may, with city council approval . . . specify other circumstances under which the police department may arrange to pay the tow bill. The board of police commissioners shall establish a procedure by which this subsection shall be implemented and administered."

## STRUCTURE OF THE BOARD OF POLICE COMMISSIONERS

- Five (5) member Board appointed by the mayor, subject to the approval of the Detroit City Council.
- Term of membership on the Board is five (5) years and not more than one (1) member's term expires year each.

**Chairperson Griffin** stated members of the Board can only be removed for cause, and the reason that the appointments are staggered is so the Commissioners will not all fall under any particular administration.

## DETROIT BOARD OF POLICE COMMISSIONERS STANDING COMMITTEES

- |                        |                   |
|------------------------|-------------------|
| • CITIZENS COMPLAINTS  | • LEGAL AFFAIRS   |
| • DISCIPLINARY APPEALS | • LABOR RELATIONS |
| • PROMOTIONAL APPEALS  | • PERSONNEL       |
| • BUDGET               | • POLICY          |

**Chairperson Griffin** stated that Vice-Chair Okdie is the parliamentarian and the senior member of this Board and will keep them focus at all times.



## ADOPTION OF PROPOSED BYLAWS

- Adoption of Bylaws will pose no conflict with the Detroit City Charter.
- Bylaws serve as an effective tool in handling the daily operations of an organization, yielding improved performance and results.
- Board members are currently reviewing a draft of proposed Bylaws.
- Vice Chair, Commissioner Mohamed Okdie will lead this effort.

## ROLE OF BOARD OF POLICE COMMISSIONERS AS LIASON

- The Board acts as the liaison between the Detroit Police Department and the community.
- The Board is responsible for bringing the concerns of the community to the attention of the appropriate personnel with the Police Department.

## ROLE OF BOARD OF POLICE COMMISSIONERS AS LIASON

### Conflict Resolution

DPD Gang Squad and the citizens of  
Detroit

- engage the services of an experienced, respected mediator to facilitate meaningful discussion concerning strategies regarding the resolution of long-standing issues.

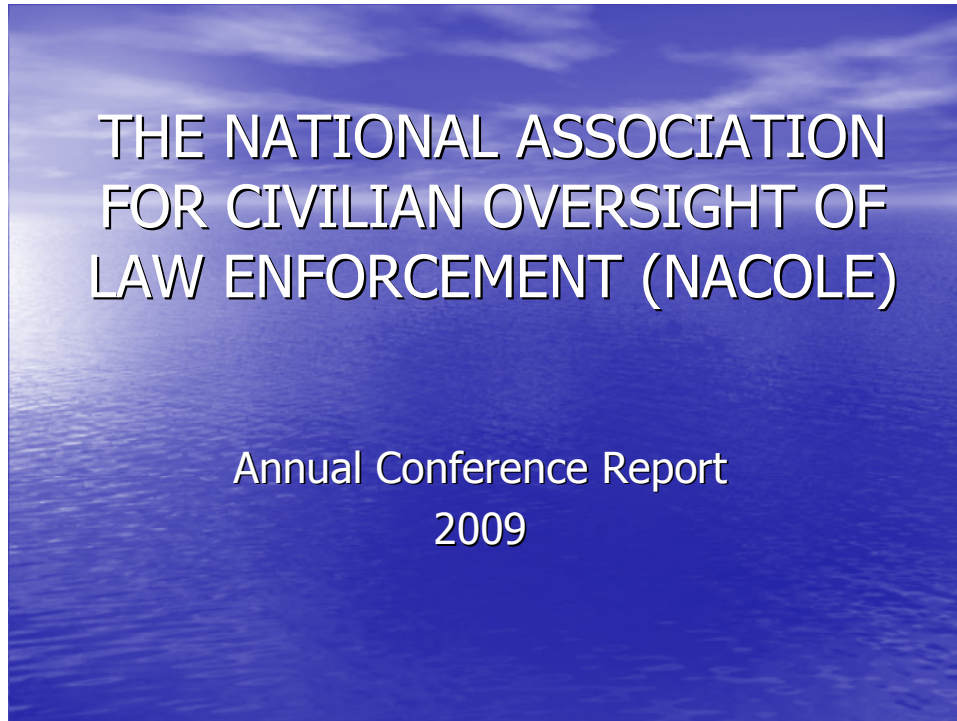
**Comm. Warfield** stated this Board wants the public to know that as it relates to gang squad they want everyone to be on the same page.

**Chairperson Griffin** stated that is a constant concern of the community.

## BOARD'S ROLE WITH THE CONSENT DECREE

- U.S. District Judge Julian Cook selected Robert Warshaw and Thomas Lusby as monitor and deputy monitor to oversee the six-year-old reform effort.
- Media reports "The Rev. Ronald Griffin, chair of Detroit's police commission, said he was satisfied with the selection. 'I believe they have the background, but the proof will be in the pudding,' he said."
- Media also reports "Ron Scott of the Detroit Coalition Against Police Brutality said he was disappointed there are no ordinary Detroiters on the team: 'There needs to be individuals from the city involved in the process.'"
- Judge Julian Cook has responded in writing to the Board following the selection of Warshaw and Lusby.
- Meetings with the Monitor and his staff have already taken place.
- The Board will take an active role in the monitoring process with regularly scheduled updates to you, the community.

**Chairperson Griffin** stated he wrote a letter to Judge Cook on behalf of the community, because this Board represents the community. He stated a response was received and both letters are available for the public.



**Chairperson Griffin** stated that staff members of this Board attended the NACOLE Conference and will give a brief overview of that conference.

**Comm. Rivera** gave the brief overview regarding mediation and stated it will allow each side to work out their differences.



## MOST RELEVANT NACOLE TOPICS

- **Citizen Complaints and Officer Dissatisfaction: Better Resolution Through Mediation**
- **Making the Grade: Performance Standards Aimed at Getting an "A"**

### Citizen-Police Mediation

- Mediation is successfully used in San Francisco, Denver and New York City
- Benefits of Mediation v Citizen Complaint Investigation
  - allows face to face contact to resolve complaints rather than a piece of paper in the mail.
  - greater percentage of respondent satisfaction in the outcome of mediation as opposed to investigation
  - facilitates "triage" of citizen complaints to reduce backlog (e.g. if both parties agree to mediate, file is closed following mediation hearing)
  - more cost effective than full investigation

**Chairperson Griffin** stated the only way to fix this is to sit down as intelligent people.

**Supv. Investigator Cromwell** gave an overview of the following slide.



## Recommendations to Improve Performance Standards

- Provide the Board and the citizens with more meaningful statistics. (e.g. particularly with regard to the number of officers involved in multiple incidents)
- Increase value of citizen input with regard to policies and procedures.
- Eliminate the gap in civilian oversight when an officer is arrested. (e.g. how does civilian oversight weigh into the Internal Affairs process and report)
- Improve civilian oversight with regard to follow-up in major incidents. (e.g. OCI investigators should have been on-sight at Cobo Hall)
- Emphasize officers as "goodwill ambassadors" rather than merely "enforcers."
- Review and evaluate training of investigative staff with regard to use of force policy.
- Implement software to improve tracking.
- Evaluate officer conduct over the long term, not just short term. (e.g. are we reducing demeanor complaints)
- Consider implementation of "20-minute rule" as part of the Chief's "Ticket and Tow" initiative.

## CLERGY TASK FORCE ON PUBLIC SAFETY

Rev. Ronald L. Griffin, Chair

**Chairperson Griffin** stated the Mayor has also appointed him as Chair of this taskforce. He talked about how the community became involved by coming forward with information that resulted in some key arrests.

## Clergy Taskforce on Public Safety Community Leaders

- Mr. Benny White, Executive Assistant to the Mayor, and Youth Advocate and Founder of "ATOM" (Advancing Through Organized Movements)
- Mr. Luther Keith, Executive Director of "Arise Detroit"
- Mr. Ron Scott, founder of "Coalition Against Police Brutality"
- Minister Bro. Mouchettee Muhammad and Reggie "Reg" Davis – founders of "Cease Fire"
- Elder Robert Davis, Second Ebenezer Church "One Hundred Made Men"
- Minister Brother Malik Shabazz  
The New Marcus Garvey Movement
- Beverlyn Hilton, Executive Assistant to the Mayor, Community Affairs
- Mrs. Shirley Burch, Communities United for Progress
- Rev. "L. A. Porsche", Hip Hop House of God
- Mr. Raphael Johnson, Community Activist
- Mr. Cliff Russell, Press Secretary for the Mayor's Re-Election Campaign
- (Meeting to be scheduled with Derek Blackmon, **Outreach Director** Detroit Branch NAACP)

## Clergy Taskforce on Public Safety Other Stakeholders

Also met with:

Chief of Police, Warren C. Evans

3<sup>rd</sup> Deputy Chief Melvin Turner

Sergeant Daran Carey, together with 30+  
DPD Community Relations Officers

Clergy Taskforce

## Clergy Taskforce on Public Safety The Feedback

- There is a need to “unify” the efforts of existing community leaders, activists, organizations, churches, agencies and neighborhood block clubs who share the same goal.
- No more problem-solving or brainstorming sessions; we need to recruit and deploy those ready for action.
- There is a need to re-establish trust among citizens and police.
- Law Enforcement must be willing to deal with its “own repeat” offenders.
- There is a need for the clergy to develop a more strategic approach to affect change within the community – particularly among the youth with a focus on structured educational activities and jobs.
- There is a need to reconnect citizens to existing resources.
- Expand and implement the existing “Angel’s Night” format into a city-wide, year round public safety initiative.

## Clergy Taskforce on Public Safety Recommendation

As a result of all the feedback gleaned from all the various stakeholders, the following recommendations were submitted to launch the citywide Public Safety Initiative:

The leadership/infrastructure to drive this collaborative effort is already in place:

- **Benny White**, Executive Assistant to the Mayor, and Youth Advocate and Founder of “ATOM” (Advancing Through Organized Movements)
- **3<sup>rd</sup> Deputy Chief Melvin Turner**, Police Community Services



## Clergy Taskforce on Public Safety Recommendation (cont'd)

- ⇒ Assist in developing a **database** of all existing community action groups within the City of Detroit;
- ⇒ Assist in **identifying existing resources** within in each church, temple, synagogue and mosque;
- ⇒ Assist in facilitating a citywide, **collaborative rally** to recruit volunteers and launch the mass Public Safety Initiative; and
- ⇒ Get "**tied into the network**"; empower your members and parishioners to get acquainted with the DPD Community Relations officers in their precinct or district, as well as other available resources (e.g. City services, need-based programs)

**DETROIT BOARD OF POLICE  
COMMISSIONERS AND  
POLICE AUTHORIZED TOWING**

## POLICE AUTHORIZED TOWING

- Section 55-15-8(a) of the 1964 City Code entitled *Police Authorized Towing*, provides that "[t]he board of police commissioners, shall establish standards, including insurance and bonding requirements, that must be met in order for a tower to qualify for police authorized tows. . . and the police department shall maintain a current list of such qualified towers."
- Section 55-15-8(a) goes further to mandate that "[t]he board of police commissioners shall also promulgate and publish the rules and regulations that it uses to determine which towers shall be called for tows under this chapter. Such rules shall as nearly as practicable, provide for equitable distribution of police authorized towing to all towers on the list of qualified towers."

The Board is committed to fulfilling its mandate pursuant to the Charter and responding to the citizens' concerns. Accordingly, it has proposed rules and regulations with regard to towing, some of which include:

## POLICE AUTHORIZED TOWING

### Brief History

- In December 2003 and again in 2005, the Auditor General initiated an audit of the Detroit Police Department's Police-Authorized Towing Process in order to determine "the validity of alleged malfeasance by police-authorized towing companies and by DPD personnel, and to determine whether there was compliance with State laws, City ordinances, DPD towing procedures and towing contracts."
- The Auditor General found "systemic problems within the DPD's police-authorized towing process," and recommended that the process be "reengineered."
- The Auditor General also recommended that the City request proposals for a "customer" focused, centralized management company.

## POLICE AUTHORIZED TOWING

The Auditor General's Report found several "systemic problems" in DPD's towing process, including but not limited to:

- Disproportionate shares of police towing among police-authorized towers.
- Excess charges to vehicle owners for towing and storage services.
- Inadequate monitoring of the police-authorized towing companies and their storage lots.

## POLICE AUTHORIZED TOWING

### Brief History (cont'd)

- In an attempt to address the criticisms raised in the Auditor General's report, the City of Detroit issued a request for proposal (RFP) in March 2008, inviting proposals for a "Centralized Towing and Logistics provider to facilitate the coordination of Auto Pound Management and Related Towing Services."
- During a Public Hearing in April 2008, Detroit City Council took testimony from numerous towers who opposed the RFP, particularly with regard to a single towing management company.
- As a result, Detroit City Council adopted a Resolution urging City Departments to rescind the RFP for towing management and not to issue another RFP until at least 2010.
- Despite the former Mayor Kwame Kilpatrick's veto of City Council's Resolution, City Council voted to adopt the Resolution rescinding the RFP for a towing management.



## POLICE AUTHORIZED TOWING

After hearing a public outcry from towers which essentially echoed the issues raised by the Auditor General, the Detroit Board of Police Commissioners sought counsel with regard to its role in the towing process.

It was determined that the City Code **mandated** the Board's involvement in the towing process.  
*(Section 55-15-8(a) of the 1964 City Code)*

## POLICE AUTHORIZED TOWING

The Board established a task force of stakeholders whose mission was to:

- (1) review the existing police-authorized towing process, policy and procedure;
- (2) review the City's management of such processes, policies and procedures to ensure the equitable and fair distribution of towing assignments;
- (3) study best practices in municipal towing programs in comparable cities and conduct other suitable research to improve the towing process; and
- (4) render its recommendation.

**Atty. Washington** gave an overview of the following slides regarding towing.

## POLICE AUTHORIZED TOWING

**The task force AND the public confirmed the same basic three (3) systemic problems with the existing DPD towing system, and validated many of the concerns raised by the Auditor General AND the police-authorized towers with regard to inconsistencies in the tower rotation.**

## POLICE AUTHORIZED TOWING

- **Disproportionate share of police towing among police-authorized towers.**

The following criteria is proposed to revise the tower rotation:

- A maximum of six (6) Authorized Towers will be assigned to each District and a maximum of three (3) to each Precinct.
- Each Authorized Tower will tow on a rotational basis within the respective District or Precinct in which they are geographically located.
- Districts or Precincts lacking adequate Authorized Towers to cover their respective areas shall have towers assigned by the Fiscal Management Bureau on the basis of their geographical distance to the **actual** District or Precinct.
- Authorized Towers assigned to tow in the area of 36th District Court or for events are required to have a tow truck on stand-by in the downtown area for immediate towing. These towers shall tow on a weekly rotational basis.



## POLICE AUTHORIZED TOWING

- Disproportionate share of police towing among police-authorized towers.

The following criteria is proposed to revise the tower rotation (cont'd):

- **Abandoned vehicle tow** requests shall be rotated among the tow companies capable of towing and storing abandoned vehicles within the respective District or Precinct. This rotation shall be separate from all other authorized tows. The rotation shall be on a vehicle by vehicle basis among those towers who are capable, which will ensure that all abandoned tows are rotated fairly and equitably.
- **Heavy duty towing** shall be rotated among the towers having that capability. "Capability" shall mean those Authorized Towers who: possess heavy duty trucks and equipment on site; employ drivers in possession of the required commercial driver's license (CDL) endorsement; and possess the space to store semi-trucks. Currently only two companies qualify and therefore the rotation shall consist of an eastside and westside heavy duty tower. The heavy duty towers shall be separated from the regular authorized tower rotation.

## POLICE AUTHORIZED TOWING

**Detroit Police officers (or any other public official who exercises any functions or responsibilities in the review and/or approval of towers under any towing contract with the City) shall be strictly prohibited from directly calling in towers for a tow. Detroit Police officers assigned to abandoned vehicles ("ABAN" officers) are also strictly prohibited from calling any tower directly for a tow. If a tower fails to respond within 20 minutes after receiving a call, the next tower in line for rotation will be contacted. No vehicle shall be towed without a Detroit police officer.**

## POLICE AUTHORIZED TOWING

- Excess charges to vehicle owners for towing and storage services.

### *Posting of Required Documents*

- The following documents shall be posted at each storage facility in a conspicuous location easily visible to the public. Actual signage, wording, size of letters, method of display shall be approved by the City in advance of posting:
- The name and address of the tower's insurance broker handling the insurance coverage required by the Agreement.

## POLICE AUTHORIZED TOWING

- The Department will provide signage to each Contractor to be conspicuously displayed at each storage facility which expressly states the following:
  - Schedule of all approved towing, storage and additional charges as specified by the City. Contractors shall be expressly prohibited from charging any fee or cost in excess of that specifically authorized by the City.
  - A notice explaining the conditions under which and the procedure by which a tow hearing may be requested from the City and the Detroit Police Department.
  - Procedures for filing a claim for damages incurred to the vehicle or contents thereof as a result of the tow or while in storage.
  - Copies of the entire schedule of charges on the customer's copy of receipt ticket.
  - A list of documents required by the Contractor in order for a citizen to retrieve a towed vehicle.
- **NOTE: SIGNAGE WILL BE PROVIDED TO EACH CONTRACTOR (AT THE CONTRACTOR'S EXPENSE) AND MUST BE POSTED IN A CONSPICUOUS PLACE. THE SIGNAGE WILL ALSO PROVIDE CITIZENS WITH A CONTACT NAME AND PHONE NUMBER.**

## POLICE AUTHORIZED TOWING

- Inadequate monitoring of the police-authorized towing companies and their storage lots.

### Towing Monitor

- A Towing Monitor (and staff) will be created under the control and supervision of the Board of Police Commissioners, which will consist of an elite team of civilian and sworn personnel who will be trained to serve as an investigation unit and liaison between all contracted towers and the city of Detroit.
- The Towing Monitor will be responsible for monitoring the rotation schedule and will report any variances to the Board. The Towing Monitor's responsibilities will also include, but are not limited to, periodic site visits, verifying that inventory is supported by the appropriate documentation, verifying licenses and insurance coverage, verifying annual background checks of the tower's employees, and adherence to zoning regulations.

**Chairperson Griffin** stated six (6) investigators from the Office of the Chief Investigator will take on this task as they receive additional training. He stated this will be a 24/7 operation and a collaborative effort between the Board and DPD.

**Atty. Washington** stated that the Planning Department will also provide the training with regards to zoning requirements.



## POLICE AUTHORIZED TOWING

The Code clearly delineates the following responsibilities:

- **Board of Police Commissioners**
  - establish standards, including insurance and bonding requirements, required for a tower to qualify for police authorized tows. (Section 55-15-8(a) of the 1964 City Code)
  - promulgate and publish the rules and regulations that will be used to determine which towers shall be called for tows. These Rules will provide for an equitable distribution of police authorized towing to all towers on the list of qualified towers. (Section 55-15-8(a) of the 1964 City Code)
- **Detroit Police Department**
  - select police-authorized towers and maintain a current list of qualified towers. (Section 55-15-8(a) of the 1964 City Code)
- **Detroit City Council**
  - review the recommendation of Towing Rate Commission, and set towing rates by resolution (Sections 55-15-2 and 55-15-5 of the 1964 City Code)

## POLICE AUTHORIZED TOWING

The Board has made inquiry into recent allegations regarding the use of non police-authorized towers within the City of Detroit.

The Code clearly defines a "police authorized tow" to mean the towing, carrying, pushing or otherwise transporting for a fee by a tower or towers summoned by the police," and that any tow to "the private storage lot, yard or garage of the police authorized tower at the direction of the police officer in charge. . . **shall be located within the boundaries of the city.**" Section 55-15-1

## POLICE AUTHORIZED TOWING

- **Impending Request for Proposal (RFP)**

- ⇒ The Board is in the process of evaluating the draft Request for Proposal (RFP). The Board will review and approve the RFP before it progresses through the process.
- ⇒ The Board will research the role of the public in the RFP process.

- **Application Process**

- ⇒ The Police Department is responsible for the selection of towers pursuant to the guidelines set forth by this Board.
- ⇒ The Police Department will notify the public (and the Board) when Application Packets will be made available to current and prospective towers.

**Chairperson Griffin** stated there has been dialogue with Asst. Chief Godbee, and the RFP will not go anywhere until the Board has reviewed it. There will also be a public forum before it is finalized.

## BOARD OF POLICE COMMISSIONERS

### YOUR VOICE AND YOUR FEEDBACK MATTERS

- Feedback Forms Available
- Board will provide a bi-weekly report on citizen feedback at its regularly scheduled Board meetings

**Chairperson Griffin** stated to sum this all up -- this Board is going to do their job.

**9. ANNOUNCEMENT OF NEXT MEETING**

Thursday, November 19, 2009 @ 3:00 p.m.  
Police Headquarters  
1300 Beaubien, Rm. 328-A  
Detroit, MI 48226

**10. ORAL COMMUNICATION FROM THE AUDIENCE**

**L. Ruffin** asked if she could call her own tow company to have her vehicle towed if she gets stopped and isn't allowed to drive.

**Chairperson Griffin** stated he doesn't have an answer but will have one at next Thursday Board meeting.

**Comm. Rivera** stated the Towing Task Force hasn't implemented any of the proposed ideas at this time.

**Atty. Washington** stated the 20 minute rule doesn't apply to nuisance abatement issues.

**C. Jobes** stated they are having some problems around his business and requested assistance.

**Chairperson Griffin** stated Insp. Sroka is here to take any complaint and issues that you have.

**J. Duka** asked how he can obtain the information that was shared here today.

**Chairperson Griffin** stated by next Thursday you can get a hard copy of this presentation.

**Bobby of Bobby's Towing** stated the biggest problem is the department not notifying the citizens that their vehicles are sitting in the tow yard. He asked will something be done to address this.

**Chairperson Griffin** stated that will be part of monitoring process of the investigators.

**Bobby of Bobby's Towing** stated this will be starting in January?

**Chairperson Griffin** stated yes.

**R. Scott** complemented the Board on trying to resolve the Towing issue.

He asked about the shooting that the Chief was involved in and the circumstances under which he was stopped.

**Chairperson Griffin** stated to give this Board two weeks to get an answer.

**J. Banks** welcomed everyone, invited parents to take full use of the facilities and stated she will be around to answer any questions.

Respectfully submitted,

Celia Banks Washington  
Attorney/Supervising Investigator  
Board of Police Commissioners

**CBW/rb**